

Notice of Allowability

Application No.

10/042,823

Examiner

Laura E. Martin

Applicant(s)

GARDNER ET AL.

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/8/07.
2. ☒ The allowed claim(s) is/are 1-12, 15-29, and 31-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 01/08/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MANISH S. SHAH
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Thompson on 3/5/07.

The application has been amended as follows:

Claims:

Claim 44 has been cancelled.

Allowable Subject Matter

Claims 1-12, 15-29, and 31-42 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: prior art does not teach or suggest selecting between a dark dot gain print mode an object definition print mode, wherein the print modes produce a different output, such that the dark dot gain print mode enhances photographic image quality and the object definition print mode enhances object edge definition; wherein printing in the dark dot gain print mode comprises: applying at least one dark dot color to a dry portion of a print media and selectively applying at least one light color ink to the portion of the print media that is still wet following the application of the at least one dark color; and

Art Unit: 2853

wherein printing in the object definition print mode comprises: applying at least one light color ink to a dry portion of the print media, and applying at least one dark color ink to the portion of the print media that is still wet following the application of said at least one light color.

While prior art does teach the two different print modes, it does not teach them having different outputs, but rather teaches them having a uniform output.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

As previously disclosed, Kaneko as modified with Wyble teach applying at least one dark dot color to a dry portion of a print media and selectively applying at least one light color ink to the portion of the print media that is still wet following the application of the at least one dark color; and applying at least one light color ink to a dry portion of the print media, and applying at least one dark color ink to the portion of the print media that is still wet following the application of said at least one light color. However,

Art Unit: 2853

Kaneko discloses that the two forms of printing reduce unevenness (column 4, lines 30-46).

Matsubara et al. (US 5500661) disclose in prior art applying at least one dark dot color to a dry portion of a print media and selectively applying at least one light color ink to the portion of the print media following the application of the at least one dark color; and applying at least one light color ink to a dry portion of the print media, and applying at least one dark color ink to the portion of the print media following the application of said at least one light color. However, the two types of print modes are taught in subsequent passes and change only the coloring of the printed image. Matsubara et al. disclose a means of improvement upon this deficit.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2853

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura E. Martin


MANISH S. SHAH
PRIMARY EXAMINER